

THURSDAY, MARCH 19, 1987

TWENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. Chester Phillips, Heritage Baptist Church, Johnson City, Tennessee.

Representative Good led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 92

Representatives present were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

The Speaker announced that Representative Bragg was excused because of business.

The Speaker announced that Representative Peroulas was excused because of illness in the family.

The Speaker announced that Representative Robinson (Washington) was excused because of Dairy Convention.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

CALENDAR

House Bill No. 16--Equipment installers.

Mr. Moore (Shelby) moved that House Bill No. 16 be passed on third and final consideration.

Mr. Moore moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 16 by deleting the words "in counties or municipalities" in the amendatory language of Section 1 and by substituting the words and figures "in counties with populations of seven hundred thousand (700,000) or more according to the 1980 federal census or any subsequent federal census".

On motion, the amendment was adopted.

Thereupon, House Bill No. 16, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

A motion to reconsider was tabled.

House Bill No. 236--Retirement System.

On motion, House Bill No. 236 was made to conform with Senate Bill No. 620.

On motion, Senate Bill No. 620, on same subject, was substituted for House Bill No. 236.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Mr. Rhinehart moved that Senate Bill No. 620 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 233--Consolidated Retirement System.

Mr. Rhinehart moved that House Bill No. 233 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 233 by deleting the amendatory language in Section 1 and substituting instead the following:

() Such investment policy shall reflect the following principles:

(1) The assets of the Tennessee Consolidated Retirement Fund now and hereafter under the investment authority of the board of trustees are trust funds which are held for the benefit of beneficiaries and participants in the retirement system established under chapters 34 through 37 of this title; and

(2) In acquiring, investing, reinvesting, exchanging, retaining, selling and managing such assets, those charged with these duties shall exercise the judgment and care under the circumstances then prevailing, which men

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.

On motion, the amendment was adopted.

Thereupon, House Bill No. 233, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

A motion to reconsider was tabled.

House Bill No. 529--Fabricators steel products.

Mr. Rhinehart moved that House Bill No. 529 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 529 by deleting Section 1 through 4 and adding new sections as follows:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by adding a new section as follows:

(a) The tax imposed by this chapter shall not apply to materials sold to or used by a structural steel fabricator provided such materials are used by the fabricator to fabricate structural steel products for application, use, or resale outside this state.

THURSDAY, MARCH 19,1987--22ND LEGISLATIVE DAY

(b) For the purposes of this section, a structural steel fabricator is defined as any person who performs techniques to structural steel, producing fabricated structural steel products that are tangible personal property for use or resale.

SECTION 2. This act shall take effect July 1, 1987, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 529, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--96.

A motion to reconsider was tabled.

House Bill No. 1099--Wastewater facilities.

Mr. Davis (Gibson) moved that House Bill No. 1099 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1099 by adding a new subdivision after Section 3(4) to read as follows and by redesignating the remaining subsections accordingly:

() "Director" means the director of the division of construction grants and loans within the department.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

AND FURTHER AMEND by deleting the second sentence in Section 3(6) in its entirety and substituting in lieu thereof the following:

"Local government" shall also mean any utility district created pursuant to Tennessee Code Annotated, Title 7, Chapter 82, existing on July 1, 1984 and which operates a wastewater facility; and also includes such utility district created after July 1, 1984 if such utility district operates a wastewater facility comprised of at least five hundred (500) customer connections.

AND FURTHER AMEND by deleting the following language from the first sentence of Section 3(8) in its entirety:

"; and which has been listed on the construction grants program wastewater treatment project priority list established by the department pursuant to Tennessee Code Annotated, Title 68, Chapter 13, Part 8"

AND FURTHER AMEND by deleting the words "financial assistance" in Section 4(b) and substituting instead the words, "loans, pursuant to Sections 1 through 6, inclusive."

AND FURTHER AMEND by inserting the words "of the local government applicant" following the words "property values" in the third sentence of Section 5(b).

AND FURTHER AMEND by inserting a new subdivision (1) immediately preceding the existing subdivision (1) in Section 6(a) to read as follows and by redesignating the remaining subdivisions accordingly:

(1) operate a wastewater facility that is on the department's project priority ranking list established pursuant to Tennessee Code Annotated, Section 68-13-804 and regulations thereunder;

AND FURTHER AMEND by inserting the words "for public purpose projects" in Section 6(b) between the words "Loans" and "relating".

AND FURTHER AMEND by deleting the word "in" between the words "acting" and "for the public" in the second sentence of Section 8(a).

AND FURTHER AMEND by adding a new subdivision (7) in Section 8(b) to read as follows:

(7) One (1) member, appointed by the governor, who shall represent the citizens of the state. Such member shall have experience in governmental finance and shall not otherwise be a state employee.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

AND FURTHER AMEND by adding in Section 8(c)(2)(A) after the figure "8(b)(3)" the word and number "and (7)".

AND FURTHER AMEND by deleting subsection (d) of Section 8 in its entirety and substituting instead the following:

(d) Each member of the board shall be entitled to receive the amount of his or her traveling and other necessary expenses actually incurred while engaged in the performance of any official duties when so authorized by the board, but such expenses shall be made in accordance with the comprehensive state travel regulations duly promulgated by the commissioner of finance and administration.

AND FURTHER AMEND by deleting subsection (e) of Section 8 in its entirety and substituting in lieu thereof the following:

(e) A majority of the board shall constitute a quorum and the concurrence of a majority of those present and voting in any matter shall be required for a determination of matters within its jurisdiction.

AND FURTHER AMEND by adding the following new subsections to Section 8:

() No board member may participate in making a decision in any case involving a local government or wastewater facility in which the board member has a direct financial interest, including a contract of employment.

() The board shall keep complete and accurate records of the proceedings of all their meetings. All such records shall be kept on file in the office of the director and open to public inspection.

() The director shall serve as the technical secretary to the board. In that capacity, the director shall report the proceedings of the board and perform such other duties as the board may require.

AND FURTHER AMEND by adding the following at the end of Section 9(a)(5):

In case of the refusal of any person or entity to obey a notice of hearing or subpoena issued by the board under this part, the chancery court of Davidson County shall have jurisdiction upon application of the board to issue an order requiring such person to appear and testify or produce evidence as the case may require and any failure to obey such order of the court may be punished by such court as contempt thereof.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

AND FURTHER AMEND by deleting in Section 9(b) in its entirety and substituting instead the following:

The board shall be authorized to act only as to those wastewater facilities brought before it upon recommendation of the comptroller of the treasury as provided in Section 10.

AND FURTHER AMEND by deleting the words "a retained earnings deficit or has an operating deficit for a period of three (3) consecutive years or is in default" in the first sentence of Section 10(a) and by substituting instead the following:

a retained earnings deficit in any one (1) year or, for a period of three (3) consecutive years, has an operating deficit, or is currently in default

AND FURTHER AMEND by deleting subsections (b), (c), (d) and (e) in Section 10 in their entirety and by substituting instead the following:

(b) Within sixty (60) days from the receipt of the comptroller's audit report, the board shall schedule a hearing to determine whether the wastewater facility described in the report is likely to continue in a deficit position. In reaching its determination, the board shall consider current user rates charged by the wastewater facility, the size of the facility and the local government served by it, the quality of the facility's operation and management, and other relevant criteria.

Upon a determination that the wastewater facility is likely to remain in a deficit position, the board may order the management of the wastewater facility to adopt and maintain user rate structures necessary to (i) fund operation, maintenance, principal and interest obligations and adequate depreciation to recover the cost of the wastewater facility over its useful life, (ii) to liquidate in an orderly fashion any retained earnings deficit, and (iii) to cure a default on any indebtedness of the wastewater facility.

Any such order shall become final and not subject to review unless the parties named therein request by written petition a hearing before the board as provided in Sections 7 through 13, inclusive, no later than thirty (30) days after the date such order is served. Any hearing or rehearing provided by Sections 7 through 13, inclusive, shall be brought pursuant to the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, Part 3. Such hearing may be conducted by the board at a regular or special meeting by any member or panel of members as designated by the chairman to act on its behalf, or the chairman may designate an administrative judge who shall have the power and authority to conduct hearings in the name of the board to issue initial orders pursuant to the Uniform Administrative Procedures Act.

THURSDAY, MARCH 19, 1987---22ND LEGISLATIVE DAY

(c) In the event a wastewater facility fails to adopt user rate structures pursuant to a final order of the board, the board may petition the chancery court in a jurisdiction in which the wastewater facility is situated or in the Davidson County Chancery Court to require the adoption of the user rate structures ordered by the board or to obtain other remedial action, which, in the discretion of the court, may be required to cause the wastewater facility to be operated in a financially self-sufficient manner.

AND FURTHER AMEND by inserting the following new Section immediately after Section 10 and by renumbering subsequent sections accordingly:

Section 11.

(a) As a means to restore the financial stability of a wastewater facility under its jurisdiction, and to insure the continued operations of wastewater facilities for the benefit of the public being served by such wastewater facility, the board may facilitate, assign a mediator, or otherwise participate in negotiations for the consolidation of a wastewater facility under the board's jurisdiction with another wastewater facility or other public utility which, in the determination of the board, is best suited to operate a deficit wastewater facility. Such consolidation shall be upon those terms as agreed upon by all of the affected parties. Such agreement shall provide that the ultimate owner or operator of the facility will assume the operation of the facility in such territory and account for the revenues therefrom in such manner as not to impair the obligations of contract with reference to outstanding bond issues or other legal obligations of the consolidating wastewater facilities and shall fully preserve and protect the contract rights vested in the owners of such outstanding bonds, obligations or contractual interests.

(b) The board is authorized to subsidize, from appropriations made to it, the repair or improvement of the deficit wastewater facility as an incentive for consolidation in negotiating any consolidation under this part. In addition, the board may contract for the services of a professional mediator if in its opinion such mediator is needed to effect any consolidation under Sections 7 through 13, inclusive.

(c) Prior to consolidation of any wastewater facility pursuant to Sections 7 through 13, inclusive, the board shall hold a public hearing of all interested parties to such consolidation at a place convenient to such parties at least sixty (60) days prior to the effective date of such consolidation. Notice of such public hearing shall be published in a newspaper of general circulation in the affected area not later than ten (10) days prior to the meeting.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

(d) If the parties to consolidation fail to reach an agreement within two hundred seventy (270) days from the commencement of negotiations, or such consolidation proceedings are otherwise terminated, the board is authorized to take appropriate action provided by Sections 7 through 13, inclusive, to effect the legislative intent of financially self-sufficient wastewater facilities.

AND FURTHER AMEND by deleting the original Section 17 in its entirety and substituting in lieu thereof the following:

If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

AND FURTHER AMEND by adding the following new Section:

Section 19. This act shall take effect on October 1, 1987; provided, however, that for rule promulgation purposes, the act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1099 by deleting in Section 8(b)(6) the present language and substituting the following:

One (1) member appointed by the governor, who shall represent the manufacturing interests in the state. The governor shall consult with the president of the Tennessee Manufacturers and Taxpayers' Association to determine a qualified person to fill this post.

On motion, the amendment was adopted.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1099 by amending subsection (a) to Section 10 by inserting the following sentence after the first sentence in subsection (a):

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Provided, however, any local government may budget and appropriate pursuant to the budget available local government funds to fund expenses and operations of a wastewater facility, in whole or in part, and such wastewater facility shall not be considered by the Board as a wastewater facility in deficit position, if such budgeted and appropriated funds together with user fees, if any, are sufficient to fund expenses and operations of the wastewater facility.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1099, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--92.

A motion to reconsider was tabled.

House Bill No. 454--Commercial Musselers.

Mr. Ivy moved that House Bill No. 454 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross,

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 328--Advisory Board Professional Boxing.

On motion, House Bill No. 328 was made to conform with Senate Bill No. 835.

On motion, Senate Bill No. 835, on same subject, was substituted for House Bill No. 328.

Mr. Miller moved that Senate Bill No. 835 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 705--Multi-county utility districts.

Mr. Miller moved that House Bill No. 705 be passed on third and final consideration.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 705 by adding the following language as a new section to be appropriately numbered immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____. The provisions of this act shall not apply in any county having a population of not less than twenty-seven thousand nine hundred (27,900) nor more than twenty-seven thousand nine hundred twenty (27,920) according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 705, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

House Bill No. 334--Licenses to sell beer.

Mr. Hillis moved that House Bill No. 334 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 334 by deleting Sections 1 through 4 in their entirety and by substituting instead the following:

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

SECTION 1. Tennessee Code Annotated, Section 57-5-105(a), is amended by adding the following:

(6) That no sale shall be made for on premise consumption unless the application so states.

SECTION 2. Section 57-5-105 is further amended by adding a new subsection (c) as follows, by designating the current subsection (c) as subsection (d) and by redesignating the remaining subsections accordingly:

(c) The application shall distinctly state whether or not the applicant is seeking a permit which would allow the sale of alcoholic beverages either for on premise consumption or for off premise consumption, or both of the foregoing. If a holder of a beer permit for either off premise consumption or on premise consumption desires to change his method of sale, he or she shall apply to the county legislative body or committee appointed by such body for a new permit.

SECTION 3. Section 57-5-105 is further amended by adding in the first sentence of the current subsection (d); between the word "permit" and the word "and" the following phrase:

"and whether the application is for the sale of alcoholic beverages for on premise consumption"

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 334, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell,

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

Representative present and not voting was: Nance--1.

A motion to reconsider was tabled.

House Bill No. 198--Change Register's Fee.

On motion, House Bill No. 198 was made to conform with Senate Bill No. 359.

On motion, Senate Bill No. 359, on same subject, was substituted for House Bill No. 198.

Mr. Davidson moved that Senate Bill No. 359 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 359 by deleting the words, figures and punctuation "two dollars (\$2.00)" from Section 1 and by substituting instead the words, figures and punctuation "one dollar (\$1.00)".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 359, as amended passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King,

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--94.

A motion to reconsider was tabled.

House Bill No. 1067--Temporary taking of a vehicle.

Mr. Wood moved that House Bill No. 1067 be passed on third and final consideration.

Mr. Wood moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1067 by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-5-104, is amended by deleting from the first sentence the words "person to take" and substituting instead the words "person to knowingly take or use".

On motion, the amendment was adopted.

Mr. Wood moved that House Bill No. 1067 be placed on the Calendar for Thursday, March 26, 1987, which motion prevailed.

Ms. DeBerry moved that House Joint Resolution No. 43 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 96--To regulate consumption, alcoholic beverages, special occasions passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

House Bill No. 6--Special occasion licenses.

On motion, House Bill No. 6 was made to conform with Senate Bill No. 96.

On motion, Senate Bill No. 96, on same subject, was substituted for House Bill No. 6.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Mr. Phillips moved that Senate Bill No. 96 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	11
Present and not voting	5

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Hassell, Hawkins, Head, Hillis, Hobbs, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix and Mr. Speaker Murray--78.

Representatives voting no were: Byrd, Harrill, Henry, Herron, Holcomb, McAfee, Nance, Rhinehart, Shirley, Turner, C. (Shelby) and Wood--11.

Representatives present and not voting were: Jared, Stafford, Wheeler, Wolfe and Yelton--5.

A motion to reconsider was tabled.

House Bill No. 1102--Amend Title 4, Chapter 17, Code.

On motion, House Bill No. 1102 was made to conform with Senate Bill No. 1122.

On motion, Senate Bill No. 1122, on same subject, was substituted for House Bill No. 1102.

Mr. Naifeh moved that Senate Bill No. 1122 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1122 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section __. Tennessee Code Annotated, Section 4-17-109, is amended by deleting the section in its entirety and by substituting instead the following:

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Any documentary materials or data made or received by any member or employee of the corporation, to the extent that such material or data consist of trade secrets, commercial or financial information regarding the operation of any eligible enterprise conducted by an applicant for any form of seed capital investment which the corporation is empowered to render, or regarding the competitive position of such applicant in a particular field of endeavor, shall not be deemed public records.

Provided, however, that if funds of the corporation are invested in such enterprise, the commercial and financial information, excluding trade secrets, shall be deemed to become a public record of the corporation after the expiration of three (3) years from the date of investment, or, in the case of such information made or received by any member or employee of the corporation after the investment, three (3) years from the date such information was made or received, except that, the following commercial and financial information shall immediately and continually become part of the public record: name and address of the enterprise and of its principal officers; the amount of the investment; the use of the investment by the enterprise; the amount of equity; the collateral received in consideration of the investment; actual projected sales; actual and projected total expenses; actual and projected net profit, the net worth of the enterprise at the time of the investment.

Except as enumerated herein, discussion or consideration of commercial or financial information or trade secrets by the board may be held in executive session closed to the public, notwithstanding the provisions of Title 8, Chapter 44; provided, however, that the purpose of any such executive session shall be set forth in the official minutes of the corporation, and business which is not related to such purpose shall not be transacted, nor shall any vote be taken during such executive session.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1122, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

OBJECTIONS -- CONSENT CALENDAR

Objections were filed to the following bills and resolution on the Consent Calendar:

Mr. Starnes objected to House Bill No. 557.

Mr. Robinson (Davidson) objected to House Bill No. 92.

Mr. Tankersley objected to House Joint Resolution No. 46.

Under the rules, House Bills Nos. 557, 92; and House Joint Resolutoin No. 46. were placed at the foot of the Calendar for Monday, March 23, 1987.

CONSENT CALENDAR

House Resolution No. 14--Honoring Coach Jerry Pilz.

House Bill No. 1215--Charter of Franklin.

House Bill No. 1216--Charter of Franklin.

House Bill No. 1222-- Athens Charter.

House Bill No. 1227--McMinn County Land fill.

House Bill No. 841--General Assembly: Office Management.

House Bill No. 1098--Medical assistance program.

On motion, House Bill No. 1098 was made to conform with Senate Bill No. 1090.

On motion, Senate Bill No. 1090, on same subject, was substituted for House Bill No. 1098.

THURSDAY, MARCH 19, 1967--22ND LEGISLATIVE DAY

House Bill No. 139--Taxation using U. S. Property.

On motion, House Bill No. 139 was made to conform with Senate Bill No. 145.

On motion, Senate Bill No. 145, on same subject, was substituted for House Bill No. 139.

House Bill No. 103--Workhouse Furlough Program.

On motion, House Bill No. 103 was made to conform with Senate Bill No. 151.

On motion, Senate Bill No. 151, on same subject, was substituted for House Bill No. 103.

House Bill No. 380--Rights education employees.

House Bill No. 199--Fees of Officers Sanitary District.

On motion, House Bill No. 199 was made to conform with Senate Bill No. 24.

On motion, Senate Bill No. 24, on same subject, was substituted for House Bill No. 199.

House Bill No. 441--Annexation Municipality.

On motion, House Bill No. 441 was made to conform with Senate Bill No. 135.

On motion, Senate Bill No. 135, on same subject, was substituted for House Bill No. 441.

House Bill No. 1135--Local Option Sales Tax.

Mr. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey,

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 36--Joint Underwriting Association.

SENATE AMENDMENT NO. 1

Amend House Bill No. 36 by deleting in the directory language of Section 2 the language "Section 4-29-209(a)" and by substituting instead the language "Section 4-29-208(a)".

Mr. King moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

MOTIONS

On motion of Ms. Montgomery House Bill No. 783 was recalled from the Committee on Judiciary.

On motion of Ms. Montgomery, House Bill No. 783 was withdrawn from the House.

On motion of Mr. Davis (Cocke), House Bill No. 293 was recalled from the Committee on General Welfare.

On motion of Mr. Davis (Cocke), House Bill No. 293 was withdrawn from the House.

On motion of Mr. Davis (Cocke), House Bill No. 33 was recalled from the Committee on Transportation.

On motion of Mr. Davis (Cocke), House Bill No. 33 was withdrawn from the House.

On motion of Mr. Davis (Cocke), House Bill No. 934 was recalled from the Committee on Conservation and Environment.

On motion of Mr. Davis (Cocke), House Bill No. 934 was withdrawn from the House.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

NOTICE PURSUANT TO RULE NO. 59

Pursuant to Rule No. 59, sponsor gave notice of his intention to consider the following measure from the Senate on Monday, March 23, 1987:

House Bill No. 838--Wolfe

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 142--Honoring founders Safety Congress--By Ellis and Ussery.

Under the rules, House Joint Resolution No. 142 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 143--Honoring William Biles Elementary School--Hillis and Rhinehart.

Under the rules, House Joint Resolution No. 143 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 144--Sign Marshall Nave Paramedical Center--By Hawkins and Yelton.

The Speaker referred House Joint Resolution No. 144 to the Committee on Transportation.

House Joint Resolution No. 145--Honoring Scott B. Weatherspoon--By Ellis.

Under the rules, House Joint Resolution No. 145 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 146--Honoring Mrs. Mary Frances Richardson--By Tanner.

Under the rules, House Joint Resolution No. 146 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 147--Honoring Charles Allen Rawls--By Jones, R. (Shelby), DeBerry, Crain, Love, Drew, Robinson (Hamilton), Turner, L. (Shelby), Dixon, King, Pruitt and Jones, U. (Shelby).

Under the rules, House Joint Resolution No. 147 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 149--Honoring Helen Diane Robinson--By Drew, Miller, May, Severance, Davis (Knox), Scruggs and Peroulas.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Under the rules, House Joint Resolution No. 149 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 150--Congratulating Dr. Barbara M. Reid--By Drew.

Under the rules, House Joint Resolution No. 150 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 151--Create Special Joint Committee, law enforcement training--By Kent.

The Speaker referred House Joint Resolution No. 151 to the Committee on State and Local Government.

House Joint Resolution No. 152--Honoring Coach David Agee--By Holt.

Under the rules, House Joint Resolution No. 152 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 153--Honoring Finley boys basketball team--By Holt.

Under the rules, House Joint Resolution No. 153 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 154--Drug/alcohol abuse in public schools--By McAfee, Turner (Hamilton), Burnett, Davidson, Wood and Starnes.

The Speaker referred House Joint Resolution No. 154 to the Committee on Education.

SENATE JOINT RESOLUTIONS

(Congratulatory and Memorializing)

Senate Joint Resolution No. 97--Honoring Robert Hardee.

Under the rules, Senate Joint Resolution No. 97 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 99--Congratulating Germantown High School Art students.

Under the rules, Senate Joint Resolution No. 99 was referred to the Committee on Calendar and Rules.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Senate Joint Resolution No. 110--Honoring Jim Warner.

Under the rules, Senate Joint Resolution No. 110 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 102--Thanking Dottie West.

Under the rules, Senate Joint Resolution No. 102 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 104--Thanking Razy Bailey.

Under the rules, Senate Joint Resolution No. 104 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 103--Children's Week.

The Speaker referred Senate Joint Resolution No. 103 to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1229--Lake County Highway Commissioners--By Tanner.

Passed first consideration.

House Bill No. 1230--Compensation General Sessions Judges--By Tanner.

Passed first consideration.

House Bill No. 1231--Pikeville city judge--By Rhinehart.

Passed first consideration.

House Bill No. 1232--Henry County Offices--By Ridgeway.

Passed first consideration.

House Bill No. 1233--Dyer County criminal investigator--By Holt.

Passed first consideration.

House Bill No. 1234--Shelby County hotel taxes--By Turner, C. (Shelby).

Passed first consideration.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

SENATE BILLS ON FIRST CONSIDERATION

Senate Bills Nos. 25, 123, 271, 313, 314, 450, 641, 676, 756, 772, 775, 828, 858, 872, 895, 957, 990, 1063, 1114 and 1165.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1223--Charter of Columbia.

Passed second consideration and held without reference.

House Bill No. 1224--Putnam County Highway Department.

Passed second consideration and held without reference.

House Bill No. 1225--Transferee of decedent and purchaser.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1226--Inspection of elevators.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1228--Lake County judge.

Passed second consideration and held without reference.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Joint Resolution No. 109.

DEPRIEST, Vice-Chairman.

Under the rules, House Joint Resolution No. 109 was transmitted to the Committee on Calendar and Rules.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 247, 385 (with amendment), 403, 505, 610, 641 (with amendment), 885 (with amendment) and 937 (with amendment).

TANNER, Chairman.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

Under the rules, House Bills Nos. 247, 385, 403, 505, 610, 641, 885 and 937 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 677, 700, 768, 875 (with amendment), 1025 and 1121 (with amendments); and House Joint Resolutions Nos. 64 and 72 and further recommend that pursuant to House Rule No. 72, House Bill No. 1025 be referred to the Committee on Finance, Ways and Means.

KERNEL, Vice-Chairman.

Under the rules, House Bills Nos. 677, 700, 768, 875, 1121 and House Joint Resolutions Nos. 64 and 72 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 1025 to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 298 (with amendment), 367, 488, 506, 511 (with amendment), 829, 850, 851 (with amendment), 893, 936 and 1011 and further recommend that pursuant to House Rule No. 72, House Bills Nos. 488, 506, 850 and 893 be referred to the Committee on Finance, Ways and Means.

DAVIDSON, Chairman.

Under the rules, House Bills Nos. 298, 367, 511, 829, 851, 936 and 1011 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bills Nos. 488, 506, 850 and 893 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 409 and 421.

RHINEHART, Vice-Chairman.

Under the rules, House Bills Nos. 409 and 421 were transmitted to the Committee on Calendar and Rules.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 242 (with amendments), 243 (with amendment), 352 (with amendments), 375 (with amendment), 434 (with amendment), 495 (with amendment), 631 (with amendment), 635 (with amendment), 636 (with amendment), 911, 914, 915 (with amendment) and 1109 (with amendment) and further recommend that pursuant to House Rule No. 72, House Bill No. 352 (with amendments) be referred to the Committee on Finance, Ways and Means.

STARNES, Chairman.

Under the rules, House Bills Nos. 242, 243, 375, 434, 495, 631, 635, 636, 911, 914, 915 and 1109 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 352 (with amendments) to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 42 (with amendments), 47 (with amendments), 218 (with amendment) and 219.

KING, Chairman.

Under the rules, House Bills Nos. 42, 47, 218 and 219 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 206 (with amendment), 460 (with amendments), 673, 997 (with amendment), 1001 (with amendment) and 1031 and further recommend that pursuant to House Rule No. 72, House Bill No. 460 (with amendments) be referred to the Committee on Finance, Ways and Means.

BUCK, Chairman.

Under the rules, House Bills Nos. 206, 673, 997, 1001 and 1031 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 460 (with amendments) to the Committee on Finance, Ways and Means.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 894 and 1002 (with amendments).

ELLIS, Chairman.

Under the rules, House Bills Nos. 894 and 1002 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 64, 86, 87 (with amendment), 156, 325, 416, 538, 712 (with amendment), 747, 750, 767 (with amendment), 769, 889 (with amendment), 1117 and 1143 and further recommend that pursuant to House Rule No. 72, House Bill No. 416, 747 and 1143 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 64, 86, 87, 156, 325, 538, 712, 750, 767, 769, 889 and 1117 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bills Nos. 416, 747 and 1143 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 360 (with amendment), 587, 600 (with amendment), 835, 837 (with amendments) and 1153 (with amendment) and further recommend that pursuant to House Rule No. 72, House Bill No. 837 (with amendments) be referred to the Committee on Finance, Ways and Means.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 360, 587, 600, 835 and 1153 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 72, the Speaker referred House Bill No. 837 (with amendments) to the Committee on Finance, Ways and Means.

BILLS RE-REFERRED

On motion of Mr. Starnes, House Bill No. 631 was recalled from the Committee on Calendar and Rules.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

On motion of Mr. Starnes, House Bill No. 631 was re-referred to the Committee on Government Operations.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 47; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 935, 1206, 1209, 1210, 1218 and 1219; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 705 and 1099; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

210--To regulate retirement credit, military service;

629--To regulate Boating Safety Act;

634--To regulate appointment, local government officials;

700--To regulate membership, Fiscal Review Committee;

748--To allow trial court, exercise jurisdiction over certain defendants;

811--To allow employees of Historical Society be eligible for state group insurance plan;

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

815--To authorize deduction of association dues, certain fire departments;

1141--To regulate Community Corrections Advisory Board; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 113--Relative to memory, Moody L. Stafford; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 555--Proceeds of bonds of state; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 5, 189, 530 and 549; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 128, 129 and 130; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 16, 233, 334, 454 and 529; and

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 353; and House Joint Resolutions Nos. 124, 125, 126, 136 and 138; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 249 and 353; and House Joint Resolutions Nos. 124, 125, 126, 136 and 138.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 23, 1987: House Bills Nos. 95, 44, 49, 223, 464, 566, 510, 517, 952, 1100, 1107, 689, 151, 473 and 400.

PHILLIPS, Chairman.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1223 and 1224.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 23, 1987: House Bills Nos. 558, 57, 40, 524, 877, 699, 535, 993, 722, 282; House Joint Resolutions Nos. 93, 92, 91, 142, 143, 145, 146, 147, 149, 150, 152, 153; House Bills Nos. 1223, 1224, 1228 and Senate Joint Resolutions Nos. 102, 104, 110 and 103.

PHILLIPS, Chairman.

THURSDAY, MARCH 19, 1987--22ND LEGISLATIVE DAY

SECOND ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--95.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, March 23, 1987.